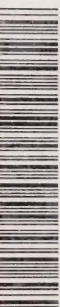
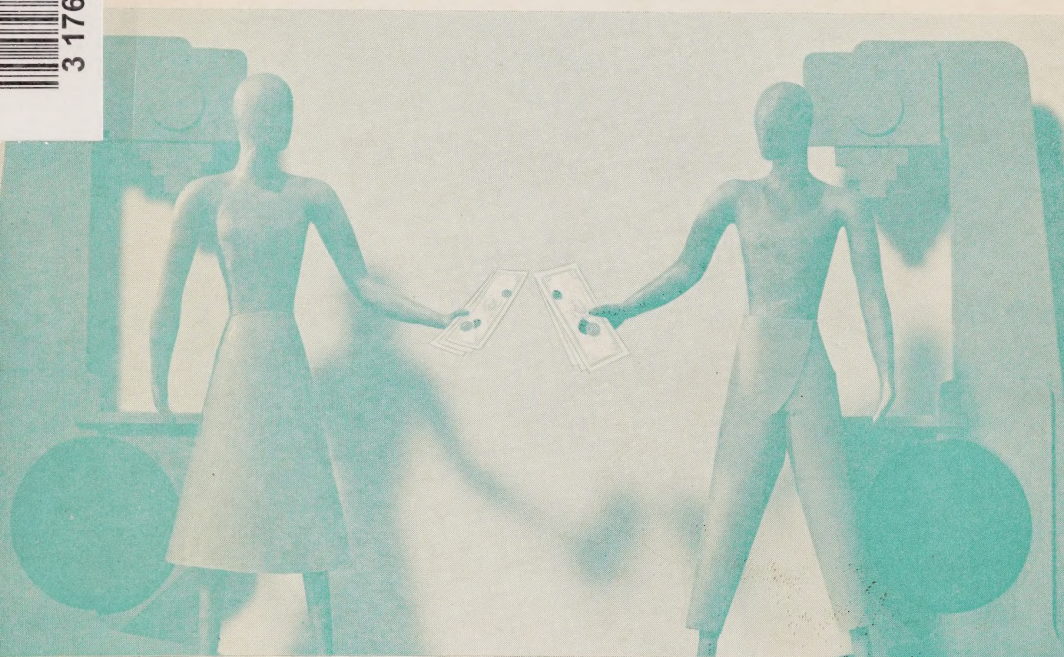


CAI
- 1959
E66

Equal Pay for Equal Work




3 1761 11765902 9



"Everyone, without discrimination, is entitled to equal pay for equal work."

Universal Declaration of Human Rights. Article 23.

Department of Labour of Canada



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761117659029>

Government
Publications

CA1
L
- 1959
E66

Equal Pay for Equal Work

The Growth of the Idea in Canada

Published by
The Department of Labour of Canada
1959

Minister
HONOURABLE MICHAEL STARR

Deputy Minister
A. H. BROWN

Cover picture: United Nations photograph.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

Price 25 cents

Cat. No. L38-859

CONTENTS

	PAGE
Foreword	iv
I—Some "Whys and Wherefores" of Equal Pay	1
What it is	
Why it is not put into effect	
Women's changing role	
The rate for the job	
Evaluating the job	
II—Equal Pay in the Canadian Scene	4
The growth of an idea	
An emerging issue	
War experience	
The Second World War	
Post war developments	
Equal pay laws in Canada	
Coverage	
When is work "equal"?	
How to register a complaint	
How complaints are dealt with	
Protecting an employee who complains	
Penalties	
A woman protected by a collective agreement	
Promoting the purposes of the legislation	
Minimum wage orders and equal pay	
Annexes	14
i. The federal Female Employees Equal Pay Act	
ii. Provincial Equal Pay Laws (list of statutes)	
iii. Names and addresses of authorities to whom complaints	
of discrimination are to be sent	
iv. How complaints are handled under the various laws	
Trade union programmes	
Equal pay provisions in collective agreements	
Job evaluation programmes	
Labour education	
A challenge to women	
Vocational training	
Participation in a union	
Making use of equal pay legislation	
III—International Action on behalf of Equal Pay	25
International Labour Organization	
The United Nations	
Convention 100 and Recommendation 90 of the ILO	
United Nations Commission on the Status of Women	
European Economic Community	
Other international action	

FOREWORD

Within the past decade the Parliament of Canada and seven provincial legislatures have enacted "equal pay" laws. The primary purpose of this pamphlet is to make these laws, their historical background and means of enforcement more widely known. It is hoped also that it may stimulate interest in the issue of equal pay for equal work and encourage women to meet its challenge.

The major part of the writing of the pamphlet has been done by Mrs. Agnes Beckett, Assistant to the Director of the Women's Bureau. Details of the various statutes have been checked with the Legislation Branch of the Department, and the data regarding equal pay provisions in collective agreements were provided by the Economics and Research Branch. Staff of both these branches and also of The Labour Gazette and the Industrial Relations Branch have made useful suggestions regarding the organization of the material. These contributions, together with that of Miss Carolyn Archer, who prepared a first draft, are acknowledged with appreciation.

MARION V. ROYCE,
Director,
Women's Bureau.

Department of Labour,
Ottawa, Canada,
May 21, 1959.

I

Some "Whys and Wherefores" of Equal Pay

What it is

Equal pay for equal work is a principle of remuneration in which wage rates are based on job content without regard to sex. It requires that a job be evaluated according to the work entailed and the skill and training needed and then that the worker be recompensed accordingly.

Why it is not put into effect

Fair and reasonable though such a wage policy would seem to be, the practice of paying women less than men doing the same work remains widespread. One of the principal arguments advanced in support of lower wages and salaries for women is that in our society the man is traditionally the breadwinner. To him falls the responsibility of providing for the family, and his rate of pay is expected to reflect his responsibilities. It is assumed that women workers do not carry family burdens and therefore will be willing to accept lower pay.

A more significant reason for this practice, however, is the economics of the labour market, in particular, the law of supply and demand. Since women move in and out of the labour force with greater frequency than men, there are usually enough or more than enough of them available for any particular type of employment at any particular time. If the supply of men runs out, therefore, employers know that they can find women to take the available jobs.

Then, too, lower pay for women can usually be justified by the fact that, although on the average they may have more years of schooling, they seldom have as high a level of job training and experience as most men have. An employer, assuming a high turnover of women workers, unless he is hard pressed for manpower, may hesitate to include them in special staff training courses because he feels that they may not stay long enough in the job to ensure a return on his investment.

Moreover, women themselves, especially girls looking forward to marriage, are not always interested in improving their occupational

qualifications and conditions of employment. Most women workers are not organized and their interest in trade union affairs is comparatively undeveloped. As a result they are seldom vocal in their demands for economic rights.

Women's changing role

The changing role of women in the economy, particularly since the end of the Second World War, has strengthened the case for equal pay. Women have become a more stable element in the labour force of Canada. Nowadays one worker in four is a woman, and it is generally conceded that any large-scale withdrawal of women from the working world would result in serious loss to the economic life of the nation. Experience has made it clear that in many lines of work the industrial output and efficiency of women workers can be as satisfactory as those of men. With this recognition has come an awareness that the economic rights of women should be acknowledged and that an experienced and efficient woman worker should not be handicapped because of her sex.¹

Also the pattern of work in women's lives has changed radically. Most women now expect, and indeed are expected, to work for pay at some time in their lives. More and more of them are remaining in jobs after marriage. Also, while they tend to move in and out of paid employment in order to accommodate the claims of their families, they are tending to spend more of their lives in work outside the home. In many instances, too, single women are supporting parents or other relatives or are at least partially responsible for the livelihood of persons other than themselves. Also, women, though still in by no means large numbers, more often are found working alongside men in occupations formerly staffed exclusively by men.

The rate for the job

Although there are wide disparities between the wages of men and women in many fields, the rate for the job, irrespective of sex, is widely regarded as a just basis for wages and salaries. The principle

¹ An example of the recognition of women's professional capacity is in teaching. The Canadian Teachers' Federation reports that outside of the Province of Quebec, most salary schedules negotiated between school boards and teachers' organizations make no distinction on the basis of sex. Where differentials occur in these contracts, they are based primarily on qualifications and experience. In some cases dependants are taken into consideration but in most cases the basis of such allowances is the same for teachers of both sexes.

is traditional trade union policy, and as long ago as 1918 the revision of the Civil Service Act adopted by Parliament provided for a rate of pay based on the content of the job.

In recent years the principle of equal pay has been written into federal law as well as into the legislation of seven provinces. Ontario, which in April 1951, passed its Female Employees Fair Remuneration Act, was the first Canadian province to enact such legislation. Saskatchewan followed in 1952 and British Columbia in 1953. It was 1956 and 1957 that saw the passing of both the federal Female Employees Equal Pay Act and similar legislation in Alberta, Manitoba and Nova Scotia. Prince Edward Island passed an Equal Pay Act in 1959.

Collective bargaining between management and labour has also been a means of giving effect to the principle. When the schedule of wages of an agreement is based on an evaluation of the job, equal pay for equal work is in practice, while sometimes "wage justice" for women is guaranteed by the inclusion of an equal pay clause in a contract.

To make equal pay for equal work effective, agreement must be reached on the meaning of "equal work". A variety of questions may arise. For example, there are situations in which slight variations in duties distinguish women's jobs from men's. Or when they do perform the same work as men, it is sometime argued that women workers require special working conditions such as rest rooms and work breaks, and are therefore more costly to the employer. This latter situation occurs less and less frequently however, because welfare provisions originally conceded to women are now generally available to men also.

Evaluating the job

One of the big stumbling blocks in arriving at a definition of "equal work" is the lack of accurate job descriptions that enable a true evaluation of the work involved. Although by no means universally practised in Canada, job evaluation is gaining favour as an equitable basis for determining wage and salary rates.

A job evaluation scheme must be based on the work to be done, the abilities and skills required and the conditions under which the job is to be performed. In addition, the worth of the job must be determined in relation to other jobs being done in the same establishment and a rate set for each, regardless of the individual who is to do the work. Finally, and perhaps most important, if it is to be effective, the job evaluation programme must be acceptable to both management and labour.

II

Equal Pay in the Canadian Scene

The growth of an idea

An emerging issue

The earliest record of support for the principle of equal pay for equal work in Canada dates from 1882 when the Toronto Trades and Labour Council, parent body of the Trades and Labour Congress of Canada, issued its first platform of principles. The third point in this programme was "Equal pay for equal work for both sexes".¹

At that time, however, and for several decades to come, there were not many situations in which women were doing the same jobs as men. They were for the most part employed in the traditional occupations of women, using many of the same skills as they used in their homes. Domestic and personal service occupied the greatest number; many worked in textile mills or small factories and shops; they were tailoresses, dressmakers, milliners, furriers, seamstresses. By the beginning of the century some were beginning to find jobs as saleswomen in drygoods stores and as clerks and stenographers in offices. In the professional group most women were teachers or nurses, but there were a few doctors, dentists and authors.²

With the exception of some of the more highly trained of the professional group, women were chiefly interested in the immediate returns of their work and begrudged time spent in learning a gainful occupation unless it could later be used to advantage in the home.³ The low wages that women accepted were an inducement to employers to hire them instead of men, but since usually they did not do the same work as men the question of equal pay seldom arose. There was concern among the trade unions, however, that the lower wages paid

¹ *Proceedings of the Trades and Labour Council of Toronto. October 6, 1882.* Report of the Legislative Committee to the Officers and Members of the Council, adopted on that date.

² *Occupations of the People, 1901*, Bulletin No. 11, Canada, Bureau of Statistics, 1910.

³ Reports of Women Correspondents to *The Labour Gazette*, *The Labour Gazette*, April 1913, page 1079.

to women, especially in factories and tailor shops where they were employed alongside men, were a threat to the standard of wages paid to men. Among the more active women's groups of the day there was also interest in equal pay for equal work. For instance the National Council of Women, which from the time of its founding in 1893 had included among its major concerns the status of the working woman, was already advocating legislation in this field.⁴

During this period agitation for equal pay in the teaching profession occurred in several communities. The resentment of women teachers of good education and training, whose salary scales were only half those of their men colleagues, is reflected in the comments of correspondents of *The Labour Gazette*, one of whom in June 1913 wrote:

There is no better instance for advocating 'equal salaries for equal work' than in the teaching profession. In Montreal we find women teachers preparing pupils for the same examinations as the masters do their boys, and still their salary remains at one-half that given male teachers. In a recent editorial of a Montreal leading paper, this subject is alluded to with much feeling.⁵

War experience

It was during the First World War, however, that equal pay for equal work became a live issue. Shortages of manpower led to the employment of women in munitions factories, by the railways and in steel, cement and shoe manufacturing. They acquired the skills needed for cutting shoes, drilling plates, bending metal sheets and sharpening mower blades. At first it was thought that women were not as efficient as men except in routine and repetitive work, but as women gained experience and were undertaking the whole of skilled men's jobs they were found to be adaptable and efficient at work within their strength. When they were trained their wages increased and in some establishments they were paid the same rate as had been paid to men doing similar work.⁶

In the last year of the war, on the advice of the Minister of Labour, the Government issued a declaration of labour policy governing the relations between employers and workmen engaged in war production.⁷

⁴ Ibid., page 1374.

⁵ Ibid., page 1375.

⁶ Employment of Women in Industries in Canada, *The Labour Gazette*, September 1918, page 690.

⁷ P.C. 1743, July 11, 1918, *The Labour Gazette*, August 1918, page 617.

The principles and policies of this declaration, regarded by the Minister as "fair and equitable to all concerned" included the statement:

That women on work ordinarily performed by men should be allowed equal pay for equal work and should not be allotted tasks disproportionate to their strength.

The railways were excepted from this Order, but the Canadian Railway War Board in the same month endorsed Order No. 27 of the United States Railroad Administration for application to 61 Canadian railways.⁸ Article V of this Order, popularly known as the McAdoo Award, since W. G. McAdoo was Director General of Railways in the U.S.A., read:

When women are employed their working conditions must be helpful and fitted to their needs. The laws enacted for the government of their employment must be observed and their pay, when they do the same class of work as men, shall be the same as that of men.

Undoubtedly, the fact that women had been doing men's jobs during the war influenced these unprecedented decisions. In the years that followed, however, the question of equal pay fell into the background as the emergencies of economic depression claimed public attention. Although the labour movement continued to support the principle, there is virtually no record of action taken during this period to promote its acceptance or implementation.

The Second World War

The production needs of the Second World War proved to be vaster and more complex than those of the first war. Inadequate supplies of manpower with resulting inflation of wages and salaries created new problems for Government. It became necessary to effect a considerable degree of control over the price and distribution of goods, materials and services, and over salaries and wages.

In 1941 the National War Labour Board and nine Regional Boards were set up to deal with pressing wartime labour problems and in particular to administer the orders-in-council controlling the wage structure for the period of the war.

The Wartime Wages Control Order of 1941 generally prohibited employers from changing the basic scales of wage rates or altering the terms of employment which were in effect on November 15, 1941.⁹

⁸ *The Labour Gazette*, September 1918, pages 432 and 759.

⁹ P.C. 8253, October 24, 1941, section 11. *Wartime Orders in Council Affecting Labour*, April 1942, page 18.

The Order made no distinction as to wages between the sexes; wages were dealt with on the basis of the job performed whether the worker was a man or a woman.

But there were difficulties in applying the provisions of this Order to the inexperienced women doing work formerly performed by experienced men. In the following year the Order was revised¹⁰ to permit the Regional War Labour Boards to authorize

new and lower paid occupational classifications than those previously in effect in cases in which the skill and ability called for is of a lower grade than that previously associated with the established classifications of the employer and/or where separate classifications are desirable for apprenticeship or learners' schedules.¹¹

The National War Labour Board, in a memorandum issued for the guidance of the regional boards¹² explained that the new beginners' classifications were to enable the employer to give special training to these workers "to fit them for more skilled work and for up-grading as the needed skill is acquired". Then when engaged in skilled work these workers were "entitled to rates of pay comparable with the pay of skilled employees receiving the higher wage rates".

Yet the question remained in flux. Two years later the report of an enquiry by the National War Labour Board into labour relations and wage conditions expressed misgivings about the practicability of applying the principle of equal pay for equal work. The Board believed that in some lines of production the average woman was as efficient as the average man or even more so. However, they added, "in other lines the women workers, perhaps, cannot hope to equal male efficiency".¹³ At the same time, the minority report of the enquiry, which represented Labour's point of view, upheld "the consistent application of the wage principle of equal pay for equal work to all women's employment".¹³

As in the First World War, this extensive employment of women in men's jobs awakened in the minds of trade unionists the fear that inequality of wage rates between men and women might "constitute an undermining of the wage rates and standards won by the trade unions

¹⁰ P.C. 5963, July 10, 1942, section 22. *Wartime Orders in Council Affecting Labour*, Revised Edition, June 1943, page 20.

¹¹ *Bulletin Number 3*, issued by the National War Labour Board, September 30, 1942, Part IV, page 24.

¹² Equal Pay for Equal Work, *The Labour Gazette*, September 1942, page 996.

¹³ Report of the National War Labour Board, arising out of its public enquiry into labour relations and wage conditions together with a Minority Report, Ottawa, 1944, *The Labour Gazette*, February 1944, pages 10, 32.

over a long period of time".¹⁴ There were some men within the trade unions who advocated legislation for equal pay but others felt that the principle could be more effectively guaranteed by recruiting larger numbers of women as union members.

The delegates to the 1943 convention of the Trades and Labour Congress were particularly vocal on this latter point. "Instead of asking the Government to do these things," said one delegate, "we should do them ourselves. If we combined our strength we would not have any trouble at all". Said another, "Everybody has a right to equal pay for equal work . . . The workers should be educated and there should be a definite move to get women interested in the trade union movement".¹⁵

Post-war developments

At the end of the war, trade union members were concerned because of the unemployment amongst returned members of the Armed Forces who were faced with "unfair competition" by women working at the same jobs as men for less pay. The labour movement asked "that the federal and provincial governments enact legislation to enforce a policy of equal pay for equal work and thus eliminate this competition and give those citizens from our Armed Forces who have already sacrificed a fair chance to sell their labour power".¹⁶

In government planning for post-war reconstruction, the position of women workers received particular attention. The Advisory Committee on Reconstruction, which was established by order-in-council in 1941, set up a sub-committee to consider and report on "post-war problems of women". The sub-committee estimated that at the end of the war there would be approximately 180,000 women seeking work over and above the number required for normal employment in the post-war period, and warned:

If thousands of women are not to be searching earnestly, if not desperately, for work, and depressing thereby the wages of men and women already working, it is essential that all possible measures to widen the channels of employment be undertaken.

¹⁴ *Proceedings 60th Annual Convention, The Trades and Labor Congress of Canada*, page 346.

¹⁵ *Proceedings 59th Annual Convention, The Trades and Labor Congress of Canada*, page 200.

¹⁶ *Proceedings 61st Annual Convention, The Trades and Labor Congress of Canada*, page 416.

The sub-committee recognized, as an overriding consideration in all post-war reconstruction, that women workers were entitled to "equality of remuneration, working conditions, and opportunity for advancement".¹⁷

The idea of equal pay for equal work had taken hold. Campaigns on behalf of legislation on the subject gathered strength from many quarters. Some of the political parties made it a plank in their platforms. The National Council of Women strongly reiterated its support of the principle. Joined by several of its affiliates, especially the Canadian Federation of Business and Professional Women's Clubs, it brought before the public the merits of the principle and the desirability of having it put into effect. These organizations did much to foster interest in the issue by keeping it constantly before the public and by urging the federal and provincial governments to enact equal pay laws.

Meanwhile, the International Labour Organization in 1951 had adopted the Convention on Equal Remuneration for Men and Women Workers for Work of Equal Value. This action at the international level, the details of which are explained in III, page 26, strengthened the resolve of these national organizations in Canada, and the pressure for legislation was greatly increased.

Equal pay laws in Canada

Since 1951 seven provinces, Alberta, British Columbia, Manitoba, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan have enacted equal pay laws. The federal Parliament passed equal pay legislation in 1956. The text of the federal Act and a list of the seven provincial laws are included among the annexes at the end of this section.

Coverage

The federal Female Employees Equal Pay Act applies to employment in a number of industries and enterprises where activities are for the most part interprovincial or nation-wide in scope and which are defined in section 2 of the Act. The definition, however, excludes works, undertakings or businesses of a local or private nature in the Yukon Territory or Northwest Territories. The Act covers employment in federal crown corporations but does not apply to the federal civil service.

¹⁷ Advisory Committee on Reconstruction, *VI Post-War Problems of Women*, Ottawa, 1944, page 8.

Classified civil servants are subject to the provisions of the Civil Service Act and their rates of pay are set by the Civil Service Commission according to classifications based on job content irrespective of whether the work is to be done by a man or by a woman.

Each provincial equal pay act has wide application within the province. The Manitoba and Saskatchewan Acts cover all employers within provincial jurisdiction, including the provincial governments. In the other five provinces the provincial governments are not covered and in Alberta employers of domestic servants in private homes and employers of farm labourers are excluded from coverage.

In total the provincial equal pay acts affect far more women workers than does the federal act since the federal act is restricted in its application to the limited fields of employment on works within federal jurisdiction. About two thirds of the women workers covered by the federal equal pay act are employed in banks and in telephone operations that come within federal jurisdiction. The provincial acts, on the other hand, apply to a great variety of employers both large and small whose operations are largely confined to the provincial geographical area, but whose employees in total number far exceed those under the federal act.

When is work "equal"?

What constitutes equal work? The acts vary in defining this concept. The federal and the Alberta Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee *for identical or substantially identical work*. The British Columbia, Nova Scotia, Ontario and Prince Edward Island Acts state that an employer may not pay a female employee at a rate of pay which is less than that paid to a male employee doing *the same work in the same establishment*. The corresponding clause in the Saskatchewan Act refers to *work of comparable character done in the same establishment*.

The Manitoba Act differs from the others in that it forbids discrimination against either sex in the establishment of wage scales and not only pay discrimination against women. Under this Act, an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment *if the work required of, and done by, employees of each sex is identical or substantially identical*.

All the acts make it clear that a difference in the rate of pay based on factors "other than sex" is not considered to be in contravention of the act. The federal and Manitoba Acts list some of these "other" factors, including length of service or seniority, location or geographical area of employment, and, in the Manitoba Act, performance and capacity.

How to register a complaint

It is the woman herself who must register a complaint if she believes that she is being paid less than a man for doing the same work. Her notice of discrimination must include such information as her name, address and occupation; the name of the employer and the location of the establishment; the rate of pay she is actually receiving and the rate of pay for men doing the same job; and any additional particulars regarding the complaint that should be brought to the attention of the government official. In Manitoba, the employee must make his or her complaint within 30 days after receiving first wages at an unlawful rate. For the names and addresses of the authorities appointed under the various acts to receive such complaints see page 18.

How complaints are dealt with

In all provinces except Prince Edward Island, the legislation provides that a specially appointed officer shall make the initial investigation of the complaint and attempt to reach a settlement. If he is unsuccessful, the complaint may be referred for further enquiry to a referee, a commission or a board, depending on the act involved. At this stage a full enquiry is made, including the holding of hearings and examination of witnesses. All the acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The referee, commission or board then recommends to the Minister of Labour the course of action to be taken. The Minister or other official may issue an order based on the recommendations made. Employers who do not comply with the order are considered to be in contravention of the legislation and are subject to penalties.

The Prince Edward Island Act provides for the investigation and settlement of complaints by the Labour Relations Board.

In Alberta, Manitoba, Nova Scotia and Prince Edward Island and under the federal Act, the employee may take court action against an employer instead of filing a complaint. Under the federal and Nova Scotia Acts, court proceedings may be initiated even if a complaint has been filed. However, under the federal Act, once the complaint

has been referred to a referee, the employer may only be convicted if he contravenes any order made by the referee.

The method of handling complaints under the various acts is shown in tabular form on page 19.

Protecting an employee who complains

Five of the acts—federal, Alberta, Manitoba, Nova Scotia and Prince Edward Island—prohibit employers from dismissing or otherwise discriminating against employees who have registered a complaint or have given evidence under the act.

Penalties

Under all the acts a person who fails to comply with the terms laid down is guilty of an offence and liable on summary conviction to a fine not exceeding \$100. The federal Act and the Acts of Alberta and Manitoba provide also that a maximum fine of \$500 may be levied where the offending employer is a corporation. In Alberta, the convicting magistrate is obliged to require the employer, in addition to the fine imposed, to pay the wages found to be due to the complainant, retroactive to a maximum of six months before the beginning of the prosecution. Under the federal and Manitoba Acts, the Court may require the employer to make up any wages due but is not obliged to do so. Back pay may be made retroactive to a maximum of six months under the federal Act.

A woman covered by a collective agreement

Under the federal Act, an employee bound by a collective agreement which contains an equal pay provision similar to the equal pay provision in the Act cannot register a complaint under the Act. Her complaint may be dealt with through the grievance procedures contained in the agreement.

The Manitoba Act prohibits an employer and trade union from negotiating a collective agreement providing for scales of wages contrary to the Act. A complaint may not be made against an employer bound by an agreement in respect of the scale of wages paid to an individual employee but must be made jointly against the employer and trade union for having entered into an agreement contrary to the Act.

Promoting the purposes of the legislation

The federal Female Employees Equal Pay Act authorizes the Minister of Labour to take any measures he deems suitable to promote the purposes of the legislation.

The Nova Scotia Equal Pay Act has a similar provision.

The Ontario Anti-Discrimination Commission Act passed in 1958 provides for the establishment of a Commission to advise the Minister of Labour in the administration of anti-discrimination legislation in Ontario, including the Female Employees Fair Remuneration Act. The duties of the Commission are: to make recommendations to the Minister designed to improve the administration of the legislation; to develop and conduct an educational programme designed to give the public knowledge of the legislation; and to promote the elimination of discriminatory practices.

Minimum wage orders and equal pay

All provinces have passed laws guaranteeing minimum wages to most women employees. Usually only agricultural workers and domestic servants in private homes are excluded. Minimum rates are set also for the majority of male workers in six provinces: Alberta, British Columbia, Manitoba, Newfoundland, Quebec and Saskatchewan. In Nova Scotia and Ontario, however, the minimum wage orders do not apply to men and in New Brunswick rates are set only for male cannery workers. The Prince Edward Island minimum wage legislation, passed in 1959, applies to women only, but no minimum wage orders have been issued to date.

For some twenty years, in the Province of Quebec, identical minimum rates have been set for men and women workers. The same is true of Saskatchewan.

In British Columbia, most minimum wage orders cover both men and women employees, although there are a few covering only men or only women. All but two of the orders which cover both men and women set the same rates for workers of both sexes. The exceptions are those covering manufacturing and the fresh fruit and vegetable industry. Since the passing of the Equal Pay Act, however, employers in these industries have been required to pay a woman employee doing the same work as a man the higher minimum wage fixed for men.

In Alberta, Manitoba and Newfoundland a lower minimum rate is set for women than for men, but in the former two provinces the differential has gradually lessened over the past few years.

ANNEXES

(i) The federal Female Employees Equal Pay Act

An Act to Promote Equal Pay for Female Employees.

[Assented to 14th August, 1956.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as the *Female Employees Equal Pay Act*.

INTERPRETATION.

2. In this Act,

- (a) "Fair Wage Officer" means an officer of the Department of Labour designated by the Minister to deal with complaints under this Act;
- (b) "federal works, undertakings or businesses" means
 - (i) works, undertakings or businesses operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;
 - (ii) railways, canals, telegraphs and other works and undertakings connecting a province with any other or others of the provinces, or extending beyond the limits of a province;
 - (iii) lines of steam and other ships connecting a province with any other or others of the provinces, or extending beyond the limits of a province;
 - (iv) ferries between any province and any other province or between any province and any country other than Canada;
 - (v) aerodromes, aircraft and lines of air transportation;
 - (vi) radio broadcasting stations;
 - (vii) banks and banking;
 - (viii) such works or undertakings as, although wholly situate within a province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces; and
 - (ix) any work, undertaking or business outside the exclusive legislative authority of the legislature of any province, and all other works, undertakings or businesses that are within the legislative authority of the Parliament of Canada, but not including any works, undertakings or businesses of a local or private nature in the Yukon Territory or the Northwest Territories; and
- (c) "Minister" means the Minister of Labour.

APPLICATION.

3. This Act applies to and in respect of
 - (a) employment upon or in connection with any federal works, undertakings or businesses;
 - (b) employers engaged in any federal works, undertakings or businesses;

- (c) employees employed upon or in connection with any federal works, undertakings or businesses; and
- (d) employment of employees by any corporation established to perform any function or duty on behalf of the Government of Canada.

EQUAL PAY FOR FEMALE EMPLOYEES.

4. (1) No employer shall employ a female employee for any work at a rate of pay that is less than the rate of pay at which a male employee is employed by that employer for identical or substantially identical work.

(2) Subject to subsection (3), for the purposes of subsection (1), work for which a female employee is employed and work for which a male employee is employed shall be deemed to be identical or substantially identical if the job, duties or services the employees are called upon to perform are identical or substantially identical.

(3) Payment to a female employee at a rate of pay less than the rate of pay at which a male employee is employed does not constitute a failure to comply with this section, if the difference between the rates of pay is based on length of service or seniority, on location or geographical area of employment or on any other factor other than sex, and, in the opinion of the Fair Wage Officer, Referee, court, judge or magistrate, the factor on which the difference is based would normally justify such difference in rates of pay.

5. No employer shall discharge or otherwise discriminate against any person because that person has made a complaint or given evidence or assisted in any way in respect of the initiation or prosecution of a complaint or other proceeding under this Act.

ENFORCEMENT PROCEDURE.

6. (1) Any person claiming to be aggrieved because of an alleged violation of any of the provisions of this Act may make a complaint in writing to the Minister and the Minister may instruct a Fair Wage Officer to inquire into the complaint and endeavour to effect a settlement of the matters complained of.

(2) If the Fair Wage Officer is unable to effect a settlement of the matters complained of, he shall make a report to the Minister setting forth the facts and his recommendation thereon.

(3) The Minister may

- (a) refer the complaint to a Referee to be appointed by the Minister, or
- (b) decline to refer the complaint to a Referee if he considers it to be without merit.

(4) Where the Minister has referred a complaint to a Referee the Referee shall

- (a) inquire into the matters referred to him,
- (b) give full opportunity to all parties to present evidence and make representations,
- (c) decide whether or not the complaint is supported by the evidence, and
- (d) make whatever order he considers necessary to carry his decision into effect, which may include payment of the remuneration or additional remuneration that, during a period not exceeding six months immediately preceding the date of the complaint, would have accrued to the employee if the employer had complied with this Act.

(5) In considering a complaint under this Act a Fair Wage Officer or a Referee may enter the premises where any work, business or undertaking relating to the complaint is carried on and may inspect payroll and other employment records; and the owner or person in charge of such premises and every person found therein shall give the Fair Wage Officer or Referee all reasonable assistance in his power and furnish the Fair Wage Officer or Referee with such information as he may reasonably require.

(6) A Referee to whom a complaint has been referred has all the powers of a Conciliation Board under section 33 of the *Industrial Relations and Disputes Investigation Act*.

(7) Every person in respect of whom an order is made under this section shall comply with the order.

(8) No person shall hinder or obstruct a Fair Wage Officer or Referee in the exercise of any duty or power conferred by this section.

(9) No person shall make any false or misleading statement either verbally or in writing to any Fair Wage Officer or Referee engaged in carrying out his duties or powers under this section.

(10) A Referee appointed by the Minister under this Act may be paid such allowances and expenses as are approved by the Treasury Board.

(11) Nothing in this section operates to restrict the right of any aggrieved person to initiate proceedings under any other provision of this Act before a court, judge or magistrate against any person for an alleged contravention of this Act, except that where a complaint has been made under this section that an employer has failed to comply with section 4 or 5, and the complaint has been referred to a Referee appointed by the Minister, the employer shall not, in respect of the same matter, be convicted under section 7 for failure to comply with section 4 or 5, as the case may be.

OFFENCES AND PENALTIES.

7. Every person who does anything prohibited by this Act or who refuses or neglects to do anything required by this Act is guilty of an offence and is liable on summary conviction

- (a) if an individual, to a fine not exceeding one hundred dollars, and
- (b) if a corporation, to a fine not exceeding five hundred dollars.

8. (1) Where an employer is convicted for failure to comply with section 4 or 5 in respect of any employee, the convicting court, in addition to any other penalty, may order the employer to pay to the employee the remuneration or additional remuneration that, during a period not exceeding six months immediately preceding the date the prosecution was instituted, would have accrued to the employee if the employer had complied with those sections.

(2) Where an employer is convicted for failure to comply with an order under section 6 for the payment to an employee of an amount as remuneration or additional remuneration, the convicting court, in addition to any other penalty, may order the employer to pay such amount to the employee.

9. A complaint, information or order under this Act may relate to one or more offences by one employer in respect of one or more of his employees.

10. In any prosecution under this Act,

- (a) a document purporting to be an order or a copy of an order of a Referee and purporting to be certified by a Referee, is receivable in evidence and is *prima facie* proof of the appointment of the Referee by the Minister under this Act and of the order; and
- (b) a document purporting to be certified by the Minister or by any person purporting to be acting under the authority of the Minister and stating that any person named therein has been appointed by the Minister under this Act to be a Referee and stating the nature of the complaint referred to the Referee, is receivable in evidence as *prima facie* proof of the appointment of such person as a Referee under this Act and of the nature of the complaint referred to him.

INQUIRIES.

11. The Minister may, where he deems it expedient, undertake or cause to be undertaken such inquiries and other measures as appear advisable to him to promote the purposes of this Act.

REGULATIONS.

12. The Governor in Council may make regulations to carry out the purposes and provisions of this Act.

COLLECTIVE AGREEMENTS.

13. (1) Where an employer is bound by a collective agreement that contains an equal pay provision and contains, or is deemed under subsection (2) of section 19 of the *Industrial Relations and Disputes Investigation Act* to contain, a grievance settlement provision, no complaint shall be made or information laid in respect of any employment by that employer of a female employee who is bound by the collective agreement.

(2) In this section

- (a) "equal pay provision" means a provision in a collective agreement substantially to the same effect as section 4; and
- (b) "grievance settlement provision" means a provision for final settlement without stoppage of work, by arbitration or otherwise, of all differences between the parties to or persons bound by a collective agreement or on whose behalf it was entered into, concerning its meaning or violation.

14. Where on the day this Act comes into force an employer is bound by a collective agreement that was entered into prior to that day, no complaint shall be made or information laid in respect of any employment by that employer of a female employee who is bound by the collective agreement, during

- (a) the period that the collective agreement is in force, or
- (b) a period of one year from the coming into force of this Act, whichever is the shorter period.

COMING INTO FORCE.

15. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. (Proclaimed 1st October 1956)

(ii) Provincial Equal Pay Laws

Alberta	—Equal Pay, Part VI of the Alberta Labour Act, Statutes of Alberta, 1957, chapter 38, Effective July 1, 1957.
British Columbia	—The Equal Pay Act, Statutes of British Columbia, 1953 (2nd session), chapter 6, Effective December 31, 1953.
Manitoba	—The Equal Pay Act, Statutes of Manitoba, 1956, chapter 18, Effective July 1, 1956.
Nova Scotia	—The Equal Pay Act, Statutes of Nova Scotia, 1956, chapter 5, Effective January 1, 1957.
Ontario	—The Female Employees Fair Remuneration Act, 1951, Statutes of Ontario, 1951, chapter 26, Effective January 1, 1952.
Prince Edward Island	—The Equal Pay Act, Statutes of Prince Edward Island, 1959, chapter 11, Effective March 25, 1959.
Saskatchewan	—The Equal Pay Act, Revised Statutes of Saskatchewan, 1953, chapter 265, Effective January 1, 1953.

(iii) Names and Addresses of Federal and Provincial Authorities to whom Complaints of Discrimination are to be sent

Federal	—The Minister of Labour, Ottawa, Ontario.
Alberta	—Chairman, Board of Industrial Relations, Department of Labour, Edmonton, Alberta.
British Columbia	—Secretary, Board of Industrial Relations, Department of Labour, Victoria, British Columbia.
Manitoba	—Department of Labour, Winnipeg, Manitoba.
Nova Scotia	—Department of Labour, Halifax, Nova Scotia.
Ontario	—Director, Fair Employment Practices Branch, Department of Labour, Toronto, Ontario.
Prince Edward Island	—Labour Relations Board, Department of Labour, Charlottetown, Prince Edward Island.
Saskatchewan	—Director, Wages and Hours Branch, Department of Labour, Regina, Saskatchewan.

(iv) How Complaints are Handled Under the Various Laws

Course of Action	Federal Act	Nova Scotia	Ontario	Manitoba	Saskatchewan	Alberta	British Columbia	Prince Edward Island
1. The woman claiming to have been discriminated against registers a complaint with	Minister of Labour	Officer of Dept. of Labour designated by the Minister	Director, Fair Employment Practices Branch, Dept. of Labour	Officer designated by Minister of Labour	Director, Wages and Hours Branch, Dept. of Labour	Chairman, Board of Industrial Relations, Dept. of Labour	Secretary, Board of Industrial Relations, Dept. of Labour	Labour Relations Board, Dept. of Labour
CONCILIATION 2. The Minister or person designated to receive complaints designates an officer to investigate and try to effect a settlement. These are	Fair Wage Officer	Officer of Dept. of Labour or other person designated	Conciliation Officer	Officer of Dept. of Labour or other person designated	Inspector	Inspector	Inspector	Labour Relations Board
FORMAL INQUIRY 3. If the initial investigation is unsuccessful, the complaint is referred for further enquiry and recommendations to	Referee	Commission (ad hoc)	Commission (ad hoc)	Referee	Board (ad hoc)	Board of Industrial Relations	Board of Industrial Relations	N.A. N.A.
These persons or bodies have full powers to make a complete enquiry, including the holding of hearings, examination of witnesses, etc., and to recommend the course of action to be taken.								
MINISTERIAL ORDER 4. The Minister of Labour may issue an order based on the recommendations made by the referee, Commission or Board, as the case may be. Under the Federal Act the referee and under the Alberta Act the Board of Industrial Relations may issue an order directly. Employers who do not comply with these orders are considered to be contravening the Acts, and are liable to penalties.	N.A.							

Trade union programmes

The labour movement anticipated that the increased employment of women during the Second World War would continue in the future. After the war, therefore, the issue of equal pay for equal work was given higher priority in bargaining than in pre-war years. While nationally and provincially the various labour organizations have joined other groups in pressing for equal pay legislation, the question has been pursued at level of the individual union and its locals by means of equal pay provisions in collective agreements, job evaluation programmes and educational projects.

Equal pay provisions in collective agreements

The approach to the question of equal pay varies from union to union. Some have bargained to secure equal pay provisions in collective agreements. Such clauses do not occur frequently; of 617 selected agreements analysed by the Economics and Research Branch of the Department of Labour in 1958, only 7.5 per cent included equal pay clauses, and these accounted for only about 15 per cent of the workers covered by the agreements. This does not necessarily mean that only 15 per cent enjoyed equal pay; about 64 per cent of the workers covered were in plants where no mention was made of a sex differential in pay rates. Often where equal pay is in effect, the rates to be paid for a specific job are set without any mention of the sex of the worker.¹⁸

A considerable number of equal pay provisions were found in various agreements in the food industry, for example in the canning of fruits and vegetables, and in baking.¹⁹

The provisions vary a good deal. Some merely recognize the "principle of equal pay for equal work" without further defining it. An occasional agreement mentions that this recognition is in accordance with legislative enactments. Sometimes the equal pay clause goes so far as to say that the woman must be doing a job "formerly done by a man" or must be given the same rate of pay for work described as a "male classification". It is common to stipulate that the woman must be doing the work or be capable or doing it "without assistance", or that she must "render equal service" or "obtain approximately equal results in quality and quantity of production with adult male employees".¹⁹

¹⁸ Information obtained from Labour-Management Division (Research and Development), Economics and Research Branch, Department of Labour, Ottawa.

¹⁹ *Women at Work in Canada*, revised edition, Department of Labour, Ottawa, 1958, page 88.

In the manufacturing industry, most equal pay provisions apply only to plant workers; only occasionally are office workers included. Since office workers are not highly organized there are few contracts that deal with them alone. In one agreement covering office workers it is provided that "where an employee has the necessary qualifications to handle the work, there shall be no discrimination between men and women in the matter of appointments or in salaries for such positions."¹⁹

However the provisions are worded, the intention is to ensure that where men and women are doing the same jobs they are to receive the same pay.

Job evaluation programmes

The practice of job evaluation in a growing number of industries has contributed to the acceptance of the principle of equal pay for equal work. Strictly speaking, it is not possible to introduce equal pay without adequate appraisal of jobs on the basis of the work to be done, the skills required for its performance and the conditions under which it is performed. The principle is implicit in the process of determining without regard to personality the worth of one job in relation to another.

An example of such a job evaluation programme is the Cooperative Wage Study for the Elimination of Wage Rate Inequities negotiated by the United Steelworkers of America.²⁰ Once the adoption of this plan is agreed upon through bargaining, a small committee of representatives from both labour and management sets about the measurement of individual jobs. Twelve factors provide the basis of the analysis:

- Pre-employment training,
- employment training and experience,
- mental skill,
- manual skill,
- responsibility for materials,
- responsibility for tools and equipment,
- responsibility for operations,
- responsibility for safety of others,
- mental effort,
- physical effort,
- surroundings,
- hazards.

²⁰ A letter to the Women's Bureau from the Director, Department of Industrial Engineering, United Steelworkers of America, Toronto, March 1958.

This analysis makes it possible to relate to one another the jobs in the plant or office and to achieve a more rational job structure. An accepted procedure for assigning a rate of pay to the job is put into effect and any employee working on the job is entitled to receive the standard rate. Procedures for training and training rates applicable to given situations are agreed to, but these agreements also are based on the relative importance of jobs, not on sex, age or any other factor. While comparatively few women are employed in the steel industry in Canada, in plants where this cooperative wage study programme has been negotiated, the results have been significant for women employees. In fact the union states that differential wage rates for women have been eliminated.

Labour education

An educational program including emphasis on the question of equal pay has been developed by another union. The United Packinghouse Workers of America (District 10) has been holding conferences and schools one or two days in length, in various areas of Ontario. In these sessions at least half of the time is devoted to the problems of women workers, including the question of equal pay for equal work. Although the first conference had only a few women present, the lively discussions on the subject of women workers aroused a great deal of interest so that now there is an active core of women in each of the union's locals in the areas where conferences have been held.

The course on equal pay given during the conferences is based on a "true and false" test taken by each person attending the class. The test is discussed in small groups which tabulate a group answer and then report back to the whole class for discussion. In the words of the education officer of the union, "the aim of the course is not just to promote equal pay, but to get women to participate in the union. Therefore it is absolutely essential that men be present and take part in the group discussions. They need to hear what the women think and surprisingly enough they often find there is not too much disagreement although there might be considerable misunderstanding".²¹

A measure of the success of this educational project is that, although equal pay for equal work has not yet been completely achieved by the women in the United Packinghouse Workers Union, the differential for women has been narrowed considerably.

²¹ Correspondence between Women's Bureau, Department of Labour, and the Education Officer, United Packinghouse Workers of America (District 10), February 1958.

One of the best qualities of this approach to the question is that it recognizes the need for mutual understanding between men and women on this and other employment issues that are of special concern to women.

A challenge to women

Acceptance of the principle of equal pay for equal work is fundamental to the improvement of women's economic status. It is a goal that challenges women to responsible participation in the working world.

Vocational training

In Canada there are no legal barriers that prevent girls and women from participating in any type of vocational training, but too often they fail to take advantage of existing opportunities. Sometimes financial pressures make it necessary for them to seek work without adequate preparation. Perhaps more often, girls and women hesitate to take training because they are afraid it will be wasted. Aware of lingering antipathy towards their sex in fields of work in which men predominate, they anticipate restricted job opportunities. Then, too, because they are looking forward to marriage they often feel their training will be put to little use. Clearly, however, if women are to attain equal pay for equal work they must equip themselves for their working life by acquiring suitable vocational training.

Participation in a union

Where women are organized and take an active part in labour matters, their chances of obtaining better working conditions, including equal pay for equal work, are greatly improved. Comparatively few women workers in Canada, however, are members of unions. There are many reasons for this, the chief one being that most women are in occupations that are poorly organized, for example, personal service occupations and white collar jobs. What is more, even women who are union members are often indifferent about their membership and reluctant to put forward their point of view.

Their apathy towards the labour movement stems partly from the fact that until recently women were not expected to be continuing members of the labour force and were therefore not encouraged to take office or become active in union affairs. Too often, also, women themselves fail to see the need for showing any keen interest in such matters.

Making use of equal pay legislation

Many women who are covered by equal pay laws, although fully convinced that they have the right to higher pay, hesitate to lodge an official complaint. Sometimes they are unsure of the right procedure; more often they are fearful of losing their jobs or that they will not have the backing of their fellow workers.

This reluctance to bring a just complaint to the notice of the authorities leaves women workers open to discrimination and is an attitude that must be overcome if equal pay legislation is to be effectively applied. In seeking redress for wage injustice or indeed any other inequity, there is no escape from personal responsibility.

"Everyone", reads the Universal Declaration of Human Rights, "without any discrimination, has the right to equal pay for equal work." But rights, however carefully defined, have little meaning without commensurate obligations. The Female Employees Equal Pay Act passed by Parliament and the similar laws in seven Canadian provinces mark important milestones in the recognition of women as workers who are making a worthwhile contribution to the economy of the nation. It remains for women to take advantage of their status under the law.

III

International Action on Behalf of Equal Pay

International Labour Organization

In the post-war years, equal pay for equal work became a lively issue in many countries, and in the international sphere also it took on new importance. From its inception in 1919, the International Labour Organization had endorsed the principle. Its Constitution underlined "the special and urgent importance of the principle that men and women should receive equal remuneration for work of equal value".

During the years that followed, especially in the thirties and during the Second World War, more urgent economic problems occupied the attention of the world, but even so on a number of occasions the ILO reaffirmed the principle of equal pay for equal work. For example, at its post-war planning conference held at Philadelphia in 1944, the Organization recommended that wage rates be established on the basis of job content without regard to sex, and in 1948 reiterated the principle in the preamble of its revised constitution.

The United Nations

In the preamble to its Charter, drafted at San Francisco in 1945, the United Nations proclaimed "faith in the equal rights of men and women". The Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in December, 1948 went further. It declared in Article 23 that "everyone, without discrimination, has the right to equal pay for equal work." In 1957 the Third Committee of the United Nations General Assembly, which deals with social, humanitarian and cultural questions, adopted the text of Article 7 of a draft international covenant on economic, social and cultural rights. Article 7 recognizes "the right of everyone to enjoyment of just and favourable conditions of work" including "fair wages and equal remuneration for work of equal value without distinction of any kind, in particular, women being guaranteed . . . equal pay for equal work."

Meanwhile, the conviction had grown that merely to state the principle or affirm its desirability was not enough. The time had come for action at the international level. The Economic and Social Council of the United Nations initiated such action in 1948 by inviting the ILO

to undertake a study of the question to determine what form international action should take. The Commission on the Status of Women, a functional commission of the Economic and Social Council, had also been studying the question and recommended that the following four points be taken into account in the ILO study:

1. Adoption of the principle of the rate for the job rather than the rate based on sex.
2. Granting to women the same technical training and guidance, access to jobs, and promotion procedures as to men.
3. Abolition of the legal or customary restrictions on the pay of women workers.
4. Provision of measures to lighten the tasks that arise from women's home responsibilities as well as the tasks relating to maternity.

Several of these recommendations were reflected in the international regulations finally adopted.

Convention 100 and Recommendation 90 of the ILO

Equal pay for equal work was one of the main subjects on the agenda at the 1950 and 1951 International Labour Conferences. At the latter meeting, final agreement on international standards for equal pay was reached with the adoption of a "Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value", and of a Recommendation on the same subject.

The Convention—In ratifying a Convention a country is pledging itself to put into effect certain standards. The Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100) requires that *each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.* Remuneration is defined as including "the basic or minimum wage or salary and any additional pay in cash or in kind."

The Convention recognizes four methods for achieving equal rates of remuneration for men and women:

1. National laws or regulations,
2. Legally established or recognized machinery for wage determination,
3. Collective agreements between employers and workers,
4. A combination of these various means.

The Convention also prescribes the promotion of the appraisal of jobs on the basis of the work to be performed where this will assist in giving effect to the provisions.

By June 1960, 34 countries had ratified the Convention: Albania, Argentina, Austria, Belgium, Brazil, Bulgaria, Byelorussia, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Federal Republic of Germany, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Italy, Mexico, Norway, Panama, Peru, Philippines, Poland, Roumania, Syria, Ukraine, USSR, and Yugoslavia.

In view of the division of authority in labour matters between the provincial and federal governments, Canada has not ratified the Convention. The text, however, was tabled in the House of Commons and the Senate, and referred to the Lieutenant-Governor of each province for the attention of the provincial legislature. As already noted, equal pay laws have been enacted by the federal Parliament and seven provincial legislatures.

Similarly other member countries of the ILO have dealt with the question according to established legal traditions and methods of wage determination.

The Recommendation—A Recommendation, in contrast to a ratified Convention, is not legally binding but is rather a guide for governments wishing to promote the adoption and implementation of a particular standard.

The ILO Recommendation Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 90) describes action that can be taken to put the principle into effect. For example, governments are urged to apply the equal pay principle to all employees of central, state, provincial or local government departments or agencies where they have jurisdiction over the establishment of rates of pay.

The Recommendation also stresses the need for an objective appraisal of jobs and a system of job analysis and classification without regard to sex. It is made clear that such a system can be successfully applied only if it has been established with the agreement of both employers' and workers' organizations. Ways of raising the productive efficiency of women workers are enumerated, these include the provision of equal vocational training facilities for men and women workers and the provision of welfare and social services to meet the special needs of women.

United Nations Commission on the Status of Women

Recognizing equal pay for equal work as fundamental to the economic status of women, the United Nations Commission on the Status of Women has continued to work for public understanding of

the principle and to press for its application to all workers. Since the adoption of Convention 100 and Recommendation 90 by the ILO, the Commission's efforts in this field have followed four main lines:

1. Making recommendations to governments concerning the introduction of equal pay legislation.
2. Urging governments to expedite the ratification of the ILO Convention.
3. Collecting information on the progress being made towards the implementation of equal pay. ILO reports on this subject are studied each year by the Commission.
4. Gathering information from international non-governmental organizations on methods that have been found useful in creating a favourable climate of public opinion on the need for equal pay for equal work.

European Economic Community

The treaty establishing the European Economic Community, signed in Rome in 1957, binds Belgium, France, the Federal Republic of Germany, Italy, Luxembourg and the Netherlands "to ensure and subsequently to maintain the application of the principle of equal pay as between men and women workers." According to the treaty (Article 119), equal remuneration without discrimination on the grounds of sex means, (a) that remuneration for the same work at piece rates shall be calculated on the basis of the same unit of measurement and (b) that remuneration for work at time-rates shall be the same for the same job.

Other international action

The implementation of the principle of equal pay for equal work is an objective of the international trade union organizations, all of which have endorsed the principle of equal pay for equal work as a fundamental social right.

It has been actively promoted also by a number of international women's organizations, particularly by those which have consultative status with the Economic and Social Council of the United Nations. They have planned and conducted educational campaigns, and carried out surveys that have cut across national boundaries. Among those which have Canadian affiliates are the International Council of Women, the International Federation of Business and Professional Women, the International Federation of University Women, the World Union of Catholic Women's Organizations and the World Y.W.C.A.

